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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/074,449	02/13/2002	Edward T. LeBreton	32285	8968
116	7590	01/12/2005	EXAMINER	
PEARNE & GORDON LLP			STAICOVICI, STEFAN	
1801 EAST 9TH STREET			ART UNIT	PAPER NUMBER
SUITE 1200				
CLEVELAND, OH 44114-3108			1732	

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT PAPER

20050110

DATE MAILED:

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Commissioner for Patents

1. The amendment document filed on July 15, 2004 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 3, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be resubmitted. 37 CFR 1.121(h).

The amendment to the claims filed on July 15, 2004 does not comply with the requirements of 37 CFR 1.121 because the status indicator of claim 27 is incorrect (see page 8 of the amendment filed July 15, 2004). Specifically, the status indicator of claim 27 should read, "Currently amended" and not "Original" as indicated in the amendment filed on July 15, 2004. Amendments to the claims filed on or after July 30, 2003 must comply with 37 CFR 1.121.

2. Since the non-compliant amendment is a reply to a NON-FINAL OFFICE ACTION (including a submission for an RCE), and since the amendment appears to be a bona fide attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stefan Staicovici, Ph.D. whose telephone number is (571) 272-1208. The examiner can normally be reached on Monday-Friday 9:30 AM to 6:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael P. Colaianni, can be reached on (571) 272-1196. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Stefan Staicovici, PhD


Primary Examiner

11/10/05

AU 1732
January 10, 2005